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9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN FRANCISCO DIVISION  
12

13 **SHIONOGI & CO., LTD., a Japanese**  
**company,**

14 **Plaintiff,**

15 **v.**

16 **INTERMUNE, INC., a Delaware**  
**corporation,**

17 **Defendant.**  
18  
19

**Case No. 3:12-cv-03495-EDL**

**[PROPOSED] ORDER**

**Judge: The Honorable Elizabeth**  
**D. Laporte**

20 Having reviewed Shionogi & Co, Ltd.'s ("Shionogi") Motion to Compel, InterMune,  
21 Inc.'s ("InterMune") opposition thereto, and Shionogi's reply, and having heard argument by  
22 counsel, IT IS HEREBY ORDERED:

23 (1) InterMune's objection to the timing of Interrogatory No. 2 is overruled;

24 (2) InterMune shall serve substantive responses to Shionogi's interrogatories by January  
25 15, 2013; and

26 (3) InterMune shall:

27 (a) use the search terms Shionogi proposed on December 5, 2012 (as modified by  
28 agreement) attached hereto as Exhibit C for InterMune's review and production of its relevant

1 ESI, with production to be complete by \_\_\_\_\_, 2013 and significant productions in  
2 January 2013; or

3 (b) produce all responsive documents based on the undisputed search terms  
4 attached hereto as Exhibit A by February 1, 2013, and provide further data analysis of Shionogi's  
5 remaining search terms (attached hereto as Exhibit B) within three business days of this order.

6 **IT IS SO ORDERED.**

7  
8 Dated: December \_\_, 2012

\_\_\_\_\_  
Honorable Elizabeth D. Laporte  
U.S. Magistrate Judge